

**SUPREME COURT MINUTES
MONDAY, JUNE 4, 2012
SAN FRANCISCO, CALIFORNIA**

S176574 F056729 Fifth Appellate District

**PEOPLE v. VILLALOBOS
(RAMIRO)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegarr, Chin, and Corrigan, JJ.

Dissenting Opinion by Kennard, J.

S185688 D056280 Fourth Appellate District, Div. 1

**PEOPLE v. MESA (TOMMY
ANGEL)**

Opinion filed: Judgment affirmed in full

Section 654 does not permit punishment for defendant's gang crimes in addition to his punishments for assault with a firearm and possession of a firearm by a felon. Accordingly, defendant's two eight-month sentences for his two convictions under section 186.22, subdivision (a) must be stayed. In all other respects, the judgment of the Court of Appeal is affirmed.

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Werdegarr, and Corrigan, JJ.

Dissenting Opinion by Chin, J.

-- joined by Kennard and Baxter, JJ.

S200542

SOLAN (MAHADI) ON H.C.

Petition ordered withdrawn

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

S065233

**PEOPLE v. SMITH (FLOYD
DANIEL)**

Extension of time granted

Good cause appearing, and based upon Chief Deputy State Public Defender Barry P. Helft's representation that he anticipates filing the appellant's reply brief by June 25, 2012, counsel's request for an extension of time in which to file that brief is granted to June 25, 2012. After that date, no further extension will be granted.

S147335**PEOPLE v. MITCHELL
(LOUIS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 31, 2012.

S202617**ASHANTI (ASKIA S.) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S200474**LaCUES ON DISCIPLINE**

Recommended discipline imposed

The court orders that JERRY A. LaCUES, State Bar Number 77088, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JERRY A. LaCUES is suspended from the practice of law for the first 30 days of probation;
2. JERRY A. LaCUES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 9, 2012; and
3. At the expiration of the period of probation, if JERRY A. LaCUES has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JERRY A. LaCUES must also take and pass the Multistate Professional Responsibility

Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2013 and 2014. If JERRY A. LaCUES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200507**NISSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that PETER L. NISSON, State Bar Number 62276, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he

is placed on probation for two years subject to the following conditions:

1. PETER L. NISSON is suspended from the practice of law for the first 90 days of probation;
2. PETER L. NISSON must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 11, 2012; and
3. At the expiration of the period of probation, if PETER L. NISSON n has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

PETER L. NISSON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

PETER L. NISSON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2013 and 2014. If PETER L. NISSON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200516

NIXON ON DISCIPLINE

Recommended discipline imposed

The court orders that TYLER PATRICK NIXON, State Bar Number 220423, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. TYLER PATRICK NIXON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 13, 2012; and
2. At the expiration of the period of probation, if TYLER PATRICK NIXON has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

TYLER PATRICK NIXON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2013 and 2014. If TYLER PATRICK NIXON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.